

who meets all the requirements specified for an Examiner except completion of the prescribed training course, may be used as an Examiner upon satisfactory completion of the training course.

PART 1211—VOLUNTEER GRIEVANCE PROCEDURES

Sec.

- 1211.1–1 Purpose.
 - 1211.1–2 Applicability.
 - 1211.1–3 Definitions.
 - 1211.1–4 Policy.
 - 1211.1–5 Matters not covered.
 - 1211.1–6 Freedom to initiate grievances.
 - 1211.1–7 Entitlement to representation.
 - 1211.1–8 Time for preparation and presentation.
 - 1211.1–9 Access to agency records.
 - 1211.1–10 Informal grievance procedure.
 - 1211.1–11 Initiation of formal grievance procedure.
 - 1211.1–12 Investigation by Grievance Examiner.
 - 1211.1–13 Grievance file and examiner's report.
 - 1211.1–14 Final determination by Director of VISTA.
 - 1211.1–15 Disposition of grievance appeal files.
 - 1211.1–16 Grievance procedure for National VISTA Grant Volunteers.
- APPENDIX A TO PART 1211—STANDARDS FOR EXAMINERS

AUTHORITY: Secs. 104(d), 402(14), 420, Pub. L. 93–113, 87 Stat. 398, 407, and 414.

SOURCE: 45 FR 39271, June 10, 1980, unless otherwise noted.

§ 1211.1–1 Purpose.

This part establishes procedures under which certain volunteers enrolled under Pub. L. 93–113 may present and obtain resolution of grievances.

§ 1211.1–2 Applicability.

This part applies to all volunteers enrolled under part A of title I of the Domestic Volunteer Service Act of 1973, as amended, Pub. L. 93–113, (42 U.S.C. 4951 *et seq.*).

§ 1211.1–3 Definitions.

(a) *Volunteer* means a person enrolled and currently serving as a full-time volunteer under part A of title I of the Domestic Volunteer Service Act of 1973. For the purpose of this part, a volunteer whose service has terminated

shall be deemed to be a volunteer for a period of 90 days thereafter.

(b) *Grievance* means a matter arising out of, and directly affecting, the volunteer's work situation, or a violation of those regulations governing the terms and conditions of service resulting in the denial or infringement of a right or benefit to the grieving volunteer. Terms and conditions of service refer to those rights and privileges accorded the volunteer either through statute, Agency regulation, or Agency policy.

(1) The relief requested must be directed toward the correction of the matter involving the affected individual volunteer or the affected group of volunteers and may request the revision of existing policies and procedures to ensure against similar occurrences in the future. Requests for relief by more than one volunteer arising from a common cause within one region may be treated as a single grievance. The following are examples of grievable matters:

(i) A volunteer is assigned to an area of harsh climate where special clothing is necessary and not already possessed by the volunteer. A request for a special allowance for such clothing is arbitrarily refused.

(ii) A volunteer submits a request for reimbursement for transportation costs incurred while on authorized emergency leave which is denied.

(iii) The project sponsor fails to provide adequate support to the volunteer necessary for that volunteer to perform the assigned work, such as the sponsor's failure to provide materials to the volunteer which is necessary for the performance of the volunteer's work.

(c) *State Program Officer* means that ACTION official who is directly responsible at the first level for the project in which the volunteer is serving.

(d) *Sponsor* means a public or private nonprofit agency to which ACTION has assigned volunteers.

(e) *Grievance Examiner* or *Examiner* means a person having the qualifications described in Appendix A who is appointed to conduct an inquiry or hearing with respect to a grievance.

(f) *National VISTA Grants Program* means a program operated under part A, title I of the Domestic Volunteer